

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JESUS A. GONZALEZ,

Plaintiff,

-against-

MICHAEL J. ASTRUE,
COMMISSIONER OF SOCIAL SECURITY,

Defendant.
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JUDGMENT
04-CV- 3437 (JG)

FILED
IN CLERKS OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ MAR 28 2008 ★

A Memorandum and Order of Honorable John Gleeson, United States District Judge, having been filed on March 20, 2008, granting the Commissioner's motion; remanding the case for further evidentiary proceeding to develop and clarify evidence and to supplement the record in accordance with the treating physician rule and other applicable legal standards; and denying plaintiff's cross-motion for the calculation of benefits; it is

ORDERED and ADJUDGED that the Commissioner's motion is granted and the case is remanded for further evidentiary proceedings to develop and clarify evidence and to supplement the record in accordance with the treating physician rule and other applicable legal standards; and that plaintiff's cross-motion for the calculation of benefits is denied.

Dated: Brooklyn, New York
March 26, 2008

s/Robert C. Heinemann

ROBERT C. HEINEMANN
Clerk of Court